

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ROCK HILL DIVISION

Joseph Wayne Abell,	)	Civil Action No.: 0:21-cv-00536-RBH
	)	
Plaintiff,	)	
	)	
v.	)	<b>ORDER</b>
	)	
Commissioner of Social Security	)	
Administration	)	
	)	
Defendant.	)	
	)	

This matter is before the Court for review of the Report and Recommendation (“R & R”) of United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(b) (D.S.C.). *See* ECF No. 7. The Magistrate Judge recommends denying Plaintiff Joseph Wayne Abell’s motion for leave to proceed in forma pauperis under 28 U.S.C. § 1915. *See* ECF Nos. 2 & 7.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court must conduct a de novo review of those portions of the R & R to which specific objections are made, and it may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Neither party has filed objections to the R & R, and the time for doing so has expired.<sup>1</sup> In the absence of objections to the R & R, the Court is not required to give any explanation for

---

<sup>1</sup>Objections were due by March 23, 2021.

adopting the Magistrate Judge’s recommendations. *See Camby v. Davis*, 718 F.2d 198, 199–200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’” (quoting Fed. R. Civ. P. 72 advisory committee’s note)).

Having found no clear error, the Court **ADOPTS** the Magistrate Judge’s R & R [ECF No. 7] and denies Plaintiff’s motion to proceed in forma pauperis [ECF No. 2]. Additionally, because Plaintiff paid the filing fee on March 17, 2021 [ECF No. 8], this Court finds his motion to proceed in forma pauperis is also moot.

**IT IS SO ORDERED.**

Florence, South Carolina  
March 30, 2021

s/ R. Bryan Harwell  
R. Bryan Harwell  
Chief United States District Judge